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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO/OAKLAND
DIVISION

JANE ROE, an individual; MARY ROE,
an individual; SUSAN ROE, an
individual; JOHN ROE, an individual;
BARBARA ROE, an individual;
PHOENIX HOTEL SF, LLC, a
California limited liability company;
FUNKY FUN, LLC, a California limited
liability company; and 2930 EL
CAMINO, LLC, a California limited
liability company,

Plaintiffs,

v.

CITY AND COUNTY OF SAN
FRANCISCO, a California public entity,

Defendants.

Case No. 4:24-cv-01562-JST

**DECLARATION OF ISABEL
MANCHESTER IN SUPPORT OF
PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION**

**ASSIGNED FOR ALL PURPOSES
TO THE HONORABLE DISTRICT
JUDGE JON S. TIGAR,
COURTROOM 6**

Action Filed: 03/14/2024
Trial Date: Unassigned

1 I, Isabel Manchester, declare as follows:

2 1. I am over the age of 18 and have personal knowledge of the facts stated
3 herein, except for facts that are stated on information, belief, or understanding. As to
4 the latter, I have a good faith basis for believing them to be true. If called as a
5 witness, I could and would competently testify thereto. I make this declaration in
6 support of Plaintiffs' Motion for Preliminary Injunction

7 2. I am one of the managing partners of Phoenix Hotel SF, LLC, which
8 owns and operates the Phoenix Hotel located at 601 Eddy Street in San Francisco. I
9 am also the managing partner of Funky Fun, LLC, which owns and operates
10 Chambers Eat + Drink ("Chambers"), which is located at the same address. As such,
11 I am at the property at least five times a week.

12 3. The Phoenix Hotel and Chambers are located less than a block from
13 Willow Street. The hotel is also located three blocks from the GLIDE Memorial
14 parking lot. The Phoenix hotel is a little over a block from 685 Ellis, a current shelter
15 run by the City of San Francisco, and the COVA Hotel, a shelter leased by the City of
16 San Francisco that was recently closed.

17 4. The Phoenix Hotel and Chambers leases the location where it operates.
18 The current lease expires September 30, 2025, though I am in the process of getting a
19 four-month extension to January 31, 2026 to give us time to properly close the hotel
20 and restaurant, which should occur in early January 2026. We have opted not to
21 renew the lease for a substantial extension because of the conditions in the
22 neighborhood. As a tourist hotel, we rely on providing our guests with a relaxing and
23 clean experience. But that is too difficult to do in the Tenderloin as things currently
24 stand. The effects of the conditions in the tenderloin over the past five years have
25 culminated in this hard decision.

26 5. The sidewalks in the Tenderloin are regularly crowded with homeless
27 people, many of whom appear to be buying and using drugs. I see people who appear
28 to be under the influence of drugs standing, sitting, or lying down on the sidewalks.

1 That has resulted in discarded drug paraphernalia and human excrement on the
2 sidewalks outside the hotel. I regularly encounter paraphernalia and other
3 biohazardous substances like urine and feces. There are offensive smells caused by
4 smoke and human waste. These activities and conditions disrupt the hotel's
5 operations, my employees' work, and the guests' use and enjoyment of the property.

6 6. We have received numerous complaints from guests about these
7 conditions and their effect on the safety of our guests. We have had numerous
8 cancellations due to poor word-of-mouth on social media. Several guests have
9 reported that they drove by the hotel and decided not to stay due to these conditions.
10 We used to host numerous events for local businesses at the Phoenix Hotel and
11 Chambers. Now, we rarely get inquiries to host events or even worse, they cancel
12 once a executive at the company learns about the location of the hotel. That,
13 combined with lower guest traffic, has made it unprofitable to operate a restaurant or
14 a hotel in the neighborhood.

15 7. At the time of filing the complaint in this action, the conditions on the
16 sidewalks adjacent to the hotel caused me to take extra care for my safety when
17 entering or leaving the hotel premises. Guests and employees have reported that the
18 conditions around the hotel raise concerns about their safety when coming to and
19 from the property. My employees have been the victims of attacks by people who
20 loiter outside the hotel and appear to be under the influence of illegal drugs. We have
21 had guests who book out early because of these conditions. I believe some prospective
22 guests do not book with us because of the conditions around the hotel. While these
23 conditions and hazards outside the hotel will improve at times since the filing of the
24 complaint, they have been largely consistent and have had a substantial impact on
25 my ability to operate the hotel and restaurant

26 8. It is my understanding that the City has recently changed some of its
27 policies regarding the furnishing of services and supplies to drug addicts. However, I
28 have not noticed any significant change in the condition of the sidewalks or in the

1 behavior of the crowds of people loitering in the Tenderloin. I continue to see and
2 hear reports of the same or similar conditions that I describe in this declaration on
3 nearby blocks of the Tenderloin. It does not appear that those conditions will improve
4 in the near future. These conditions negatively impact my business's ability to attract
5 guests and maintain a good reputation as a pleasant place to stay in San Francisco.
6 As a result, when I was faced with the option to extend the lease for a substantial
7 number of years, we declined due to the cumulative effects of these conditions over
8 the past five years. The damage to our businesses was too impactful and too lasting
9 to commit to an extended lease and operate a profitable hotel and restaurant in the
10 Tenderloin.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.

13 Executed on this ²³ day of August, 2025, at San Francisco, California.